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## Task force report does little to clear Bay beach dispute

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By Crystal Harmon  
TIMES WRITER

The Shoreline Task Force has released a report clarifying a beach property owner's right to build a sand castle and bury dead fish, but waters remain murky regarding efforts to ward off emerging wetlands.

The task force formed in November in an attempt to come up with answers for property owners concerned that their Saginaw Bay beaches are being overtaken by weeds as Lake Huron water levels drop.

While many had hoped the task force would find a way to balance environmental goals with residents' desire for sandy beaches, the task force has listed three main points of consensus: that coastal wetlands are valuable, that waterfront property values haven't dropped recently, and that mosquitoes that carry the West Nile virus breed in many areas.

"It's really an issue of wetlands, emergent coastal areas as wetlands," said Howard Wetters, Michigan State University Bay County extension director and spokesman for the task force.

"With the range of positions, from people wanting to go out

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and disc up everything to people that don't want to touch anything, I think it's significant that we reached agreement on anything,"

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State Rep. Joseph L. Rivet, D-Bangor Township, who encouraged the task force's formation last fall, said everyone involved has worked hard, but compromise remains elusive.

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"The most important point to come out of the task force is that it's an extremely complicated issue, a better understanding is needed, and there are still a lot of questions."

Rivet said that the group became bogged down by "propaganda and rhetoric on both sides of the issue," making an action plan nearly impossible to agree upon.

"Everybody's just mad," Rivet said. "Ninety-nine percent of the other issues in the world, people can find a meaningful solution. In this, the players - the players on both sides - just aren't playing."

The task force is made up of members of several governmental agencies, environmental groups and three members of Save Our Shoreline Inc., a group of property owners who are pooling resources to lobby for beach preservation.

Pete Frauson, a member of SOS and the task force, said he's "really disgusted with the outcome."

"Under federal law, we were allowed to mow. The state says you can't, but for the past two years there was a pending rule and they let us mow. Now, the state says, now you can only mow a 6-foot-wide path to the water, and the task force goes along."

Frauson, a resident of Linwood, says pulling weeds from his beach by hand as he's done the past four years is "getting old."

Terry Miller, representing the environmental group Lone Tree Council, said the task force helped bring to light the value of wetlands for everyone and dispelled arguments raised by SOS.

"We had hours and hours of meetings, with both SOS and the environmental community asked to bring in experts. SOS didn't do a very effective job of supporting their positions," Miller said.

"We had experts in that described the weeds, which are bulrushes, and how they play an extremely important role in preventing erosion. By messing with them, you stress the soil and create an environment ideal for nuisance species," he said.

Miller said SOS members "want the right to plow and disc the entire bottomlands," and seemed unwilling to compromise.

SOS members agree wetlands are valuable to the ecological balance, but say enough wetlands have been set aside that there's no need to turn residential and recreational beaches into swamps.

Au Gres resident Jay Graebner, another member of SOS who sat on the task force, said all the task force accomplished was building up false hopes.

"I call it a 'task farce,'" Graebner said. "I was at five out of six meetings, meeting that ran six or seven hours, and this is the result? It was an environmental love-fest.

"We're not advocating going in and creating subdivisions on existing wetlands," Graebner said. "But we never even saw a crack in (regulators' and environmentalists') unwillingness to admit that these are even beaches."

The 14-page report also includes recommendations for further study and proposed specifications for paths or boardwalks that property owners could be allowed to build.

It also compares and contrasts state and federal regulations and permit fees, and devotes the first four pages to definitions of terms, such as "grooming," "pollutant" and "mechanical."

Whether the task force's report will have much impact remains unknown, as the issue of beach maintenance is pending in the state Legislature and in U.S. District Court in Bay City, where the federal government is seeking compensation from a Caseville couple who graded their beach in 2001 without a permit.

Balancing the preservation of emerging wetlands with the rights of beach residents is complex, Wetters said, listing those rights as a view of the water, access to a beach and the ability to maintain a reasonable amount of beach area.

Wetters said task force members will present highlights from the report, along with information about how to apply for permits and what can and can't be done without one, at

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several educational meetings around the state.

The task force reached consensus on these points, outlined in their report:

- Coastal marshes provide valuable habitat for fish and wildlife, help control erosion and filter pollutants. n The value of Saginaw Bay property has increased, despite the emerging wetlands, from an average sale price in 1994 of \$148,687 to \$223,333 in 2001.
- Mosquitoes that carry the West Nile virus breed in standing water primarily in urban areas. The report also includes a list of items members discussed but on which they could not reach consensus.

Mowing is one. The Corps of Engineers currently doesn't regulate mowing if it doesn't disturb soils. The DEQ requires permits for mowing a 100-foot-width between the water's edge and the "ordinary high water mark."

Environmentalists want mowing allowed along a pathway from the residence to the water. Save Our Shoreline wants "full grooming" of property between the high-water mark and the water.

The task force recommends allowing property owners to build a 6-foot-wide path from their homes to the water's edge, including raised wooden walkways.

The task force also recommends that officials address other problems, such as influxes of raw sewage into the bay and invasive species, and calls for more research on several environmental and economic issues.

"One of the questions is the long-term impact of periodic emergent wetlands and their role in repopulating certain species," Wetters said. "We don't know the impact."

The task force report can be found at [www.lre.usace.army.mil](http://www.lre.usace.army.mil) under the "hot topics" icon for Saginaw Bay.

- Crystal Harmon covers Bay County courts and politics for The Times. She may be reached at 894-9643.

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